

**UNITED STATES OF AMERICA
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

Plaintiff,

NO. CR 05-30023-MAP

v.

WALTER T. MAY

Defendant.

_____/

Mitchell H. Nelson (P22825)
IMHOFF & ASSOCIATES, PC
398 Kent Way
White Lake, MI 48383
(248) 461-6777

_____/

**MOTION TO MODIFY TERMS AND CONDITIONS OF
DEFENDANTS RELEASE**

Now comes the Defendant, Walter May, in the above-entitled matter and respectfully requests that this Honorable Court allow him to modify his terms of release to allow him to go to four 1 1/2-2 hour appointments with Verena J. Smith, Lic. Ac. Dipl. Ac. , 19 Cosby Ave., Amherst, MA 01002. The first appointment is scheduled for Friday, April 13, 2007, the second for April 20, 2007, the third for April 27, 2007, and the fourth for May 4, 2007 all at 11:30am. The Defendant plans to leave his house at 10:45 a.m. and expects that he will be back home at 2:15 p.m.

Further, the Defendant, Walter May requests permission to attend the scheduled Pretrial Motion on Thursday, May 10, 2007 at 1:00 pm. The

Defendant plans to leave his house at 1:45 p.m. and arrive back at his home forty-five (45) minutes after the hearing ends.

Dated: April 11, 2007

IMHOFF & ASSOCIATES, PC.

BY: /s/ Mitchell H. Nelson

Mitchell H. Nelson (P22825)
398 Kent Way
White Lake, MI 48383
248-461-6777

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent to Todd Newhouse, AUSA on this 11th day of April, 2007

/s/ Mitchell H. Nelson

Springfield Neurology Associates, LLC

300 Carew Street, Suite 2
Springfield, MA 01104
Tel: (413) 781-5050 Fax: (413) 781-2510

Michael R. Sorrell, M.D., F.A.A.N.
Emilio M. Melchionna, M.D.
Michael L. Rossen, M.D., Ph.D.
George S. Patrick, M.D.
William Flanagan, Psy. D.
Amy Neal, P.A.-C
Heather Wightman, P.A.-C

Electromyography
Nerve Conduction Studies
Electro-encephalography
Evoked Response Testing
Myofascial Pain Program
Transcranial Doppler Studies

December 5, 2006

RE: Walter May

To Whom It May Concern:

Mr. May has atypical facial pain which does not respond to medication. The only treatment which has helped him is acupuncture therapy. Mr. May is on home arrest because of criminal charges against him. He should be allowed to go to these treatments as an outpatient. These treatments are a matter of medical necessity.

Sincerely yours,



Michael R. Sorrell, M.D.
MRS:kml 12/11/06

Verena Johanna Smith Reg. Ac. Dipl. Ac., CH (NCCAOM)
Practitioner of Oriental Medicine
19 Coshy Ave. Amherst, MA 01002
Tel: 413-549-2830 FAX: 413-549-4494

April 06, 2007

To Whom It May Concern

I am writing this letter today to confirm that I have treated Mr. Walter May with acupuncture for his recurring condition of Trigeminal Neuralgia. This condition is very painful and affects a person's daily life intensely. It affects speaking and eating and the pain level will often prevent a person from living a "normal" existence.

It is of utmost importance that Mr. May be allowed to receive these treatments. Acupuncture has a strong record for being highly effective for Trigeminal Neuralgia as is demonstrated by many research articles published both in China and the US through the NIH (National Institute for Health).

I hope, for Mr. Walter May's sake, that you will allow him these treatments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Verena J. Smith', written over a horizontal line.

Verena J. Smith, Ac.Dipl. Ac., CH(NCCAOM)

Verena Johanna Smith Reg. Ac. Dipl Ac., CH (NCCAOM)
Practitioner of Oriental Medicine
19 Cosby Ave. Amherst, MA 01002
Tel: 413-549-2830 FAX: 413-549-4494 verena@giflofhealth.com

Affidavit of Verena J. Smith, Reg. Ac.Dipl.Ac. (NCCAOM)

I, Verena J. Smith, do hereby swear and depose the following:

Name: Walter May

Charges: Intent to travel to Sri Lanka for purposes of having sex with a minor.

Conditions of Release: House arrest and wearing an ankle bracelet.

Date and time of appointments: Fridays, April 13, 20 and 27, and May 4 at 11:30 for 1.5 to 2 hours.

The above is true to the best of my knowledge and belief and is signed under the pains of perjury on this 6th day of April, 2007.


Verena J. Smith, Reg. Ac.Dipl.Ac. (NCCAOM)